

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

JONATHAN LEE RICHES,)	CASE NO. 4:08 CV 526
)	
Petitioner,)	JUDGE DAN AARON POLSTER
)	
v.)	
)	<u>MEMORANDUM OF OPINION</u>
BRIAN PETER ZATER, et al.,)	<u>AND ORDER</u>
)	
Respondents.)	

On February 29, 2008, petitioner pro se Jonathan Lee Riches filed the above-captioned habeas corpus action under 28 U.S.C. § 2241. Petitioner, who is incarcerated at FCI Williamsburg in Salters, South Carolina, asserts he been subjected to double jeopardy. For the reasons stated below, the petition is denied, and this action is dismissed.

While petitions may be brought pursuant to 28 U.S.C. § 2241 to challenge the execution of a sentence, habeas corpus power of federal courts has been limited by section 2241 to those district courts within whose territorial jurisdiction the custodian is located. Wright v. United States Board of Parole, 557 F.2d 74, 77 (6th Cir. 1977) (citing Braden v. 30th Judicial Circuit Court, 410 U.S. 484 (1973)). Petitioner is thus required to bring this action in the appropriate federal district court in South Carolina.

Accordingly, the petition is denied and this action is dismissed pursuant to 28 U.S.C. § 2243. The court certifies, pursuant to 28 U.S.C. § 1915(a)(3), that an appeal from this decision could not be taken in good faith.

IT IS SO ORDERED.

/s/Dan Aaron Polster 5/21/08

DAN AARON POLSTER

UNITED STATES DISTRICT JUDGE